| BAKER | & | HOS | STET | LER | LLP |
|--------------|---|-----|------|-----|-----|
|--------------|---|-----|------|-----|-----|

45 Rockefeller Plaza

New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201

David J. Sheehan

Email: dsheehan@bakerlaw.com

Marc E. Hirschfield

Email: mhirschfield@bakerlaw.com

Attorneys for Irving H. Picard, Esq., Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK) ss.:
COUNTY OF NEW YORK)

I, **Magali L. Lee**, being duly sworn, depose and say: I am more than eighteen years old and not a party to this action. My business address is Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111.

08-01789-cgm Doc 4176 Filed 06/20/11 Entered 06/20/11 10:13:24 Main Document Pg 2 of 14

On June 7, 2011, I served the **Trustee's Opposition to Blmis Customers' Motion to Compel the Trustee to Provide A Report of His Investigative Activities and the Financial Affairs of BLMIS** by emailing the interested parties true and correct copies via electronic transmission to the email addresses designated for delivery and/or by placing true and correct copies thereof in sealed packages designated for regular U.S. Mail to those parties as set forth on the attached Schedule A.

TO: See Attached Schedule A

/s/ Magali Lespinasse Lee Magali L. Lee

Sworn to before me this 20th day of June, 2011

/s/ Sonya M. Graham Notary Public

Sonya M. Graham Notary Public, State of New York No. 01GR6133214 Qualified in Westchester County Commission Expires: 9/12/2013

SCHEDULE A

Internal Revenue Service District Director 290 Broadway New York, New York 10008

Internal Revenue Service Centralized Insolvency Operation Post Office Box 21126 Philadelphia, PA 19114

U.S. Department of Justice, Tax Division Box 55 Ben Franklin Station Washington, DC 20044

Chapter 7 Trustee

Alan Nisselson, Esq. Windels Marx Lane & Mittendorf, LLP 156 West 56th Street New York, NY 10019

Securities Investor Protection Corporation

Kevin Bell – <u>kbell@sipc.org</u>
Josephine Wang – <u>jwang@sipc.org</u>

Securities and Exchange Commission

Alexander Mircea Vasilescu – <u>vasilescua@sec.gov</u>
Terri Swanson – <u>swansont@sec.gov</u>
Preethi Krishnamurthy – <u>krishnamurthyp@sec.gov</u>

United States Attorney for SDNY

Carolina Fornos – <u>carolina.fornos @usdoj.gov</u> Alicia Simmons – <u>Alicia.simmons@usdoj.gov</u> Matthew Schwartz – <u>matthew.schwartz@usdoj.gov</u>

Counsel to the JPL

Eric L. Lewis – <u>Eric.Lewis@baachrobinson.com</u>

Notices of Appearance

Michael D. Sirota, Esq. Kevin R.J. Schroth, Esq.

Cole, Schotz, Meisel, Forman & Leonard, P.A.

Email: msirota@coleschotz.com
Email: kschroth@coleschotz.com

Attorneys for KML Asset Management LLC

Mark S. Mulholland

Thomas A. Telesca, Esq.

Ruskin Moscou Faltischek, P.C. Email: mmulholland@rmfpc.com

Email: ttelesca@rmfpc.com

Attorney for Irwin Kellner ("Kellner"), The 2001 Frederick DeMatteis Revocable Trust and the DeMatteis FLP Assets

Stuart I. Rich, Esq.

James M. Ringer, Esq.

Meister, Seelig & Fein LLP Email: <u>sir@msf-law.com</u> Email: <u>jmr@msf-law.com</u>

Attorneys for Jasper Investors Group LLC ("Jasper")

Matthew Gluck, Esq.

Brad N. Friedman, Esq.

Sanford P. Dumain, Esq.

Jonathan M. Landers

Milberg LLP

Email: mgluck@milberg.com
Email: bfriedman@milberg.com
Email: sdumain@milberg.com
Email: jlanders@milberg.com

Attorney for Ruth E. Goldstein, June Pollack, Gerald Blumenthal, Blumenthal & Associates Florida General Partnership, Judith Rock Goldman, the Horowitz Family Trust, and the Unofficial Committee of Certain Claim Holders

William B. Wachtel, Esq.

Howard Kleinhendler, Esq.

David Yeger, Esq.

Wachtel & Masyr, LLP

Email: Wachtel@wmllp.com
Email: hkleinhendler@wmllp.com

Email: dyeger@wmllp.com

Attorneys to Rosenman Family LLC

William M. O'Connor, Esq.

Crowell & Moring LLP

E-mail: woconnor@crowell.com

Attorneys for Jitendra Bhatia, Gopal Bhatia, Kishanchand Bhatia, Jayshree Bhatia and

Mandakini Gajaria

Sean H. Lane

Assistant United States Attorney for the Southern District of New York

300168003.1 4

United States Department of Justice

E-mail: sean.lane@usdoj.gov

Attorney for the United States of America

Stephen A. Weiss Seeger Weiss LLP

Email: sweiss@seegerweiss.com

Attorney for Marilyn Cohn Gross, Bernard Seldon, Lewis Franck, and Barbara Schlossberg

Frank F. McGinn

Bartlett Hackett Feinberg P.C.

Email: ffm@bostonbusinesslaw.com

Attorney for Iron Mountain Information Management, Inc.

Barry R. Lax Brian J. Neville

Brian Maddox

Lax & Neville, LLP

Email: blax@laxneville.com
E-mail: bmaddox@laxneville.com

Attorneys for Rose Less, and PJFN Investors LP

Shawn M. Christianson, Esq.

Buchalter Nemer, A Professional Corporation

Email: schristianson@buchalter.com

Attorney for Oracle USA, Inc. ("Oracle"), and Oracle Credit Corporation

Dennis C. Quinn Barger & Wolen, LLP

Email: dquinn@bargerwolen.com

Attorney for Jewish Community Foundation of the Jewish Federation – Council of Greater Los

Angeles

Alan Nisselson, Esq.

Howard L. Simon, Esq.

Regina Griffin, Esq.

Email: anisselson@windelsmarx.com Email: hsimon@windelsmarx.com Email: rgriffin@windelsmarx.com

Attorneys for Alan Nisselson, Interim Chapter 7 Trustee of Bernard L. Madoff

Eric L. Lewis, Esq.

Baach Robinson & Lewis PLLC

Email: eric.lewis@baachrobinson.com

Attorney for Stephen John Akers, Mark Richard Byers, and Andrew Laurence Hosking

Joseph E. Shickich, Jr.

Erin Joyce Letey Riddell Willams P.S.

Email: jshickich@riddellwilliams.com Email: eletey@riddellwilliams.com

Attorneys for Microsoft Corporation and Microsoft Licensing, GP (collectively, "Microsoft")

Adam L. Rosen

Silverman Acampora LLP

Email: ARosen@SilvermanAcampora.com

Attorney for Talon Air, Inc.

Angelina E. Lim, Esq.

Johnson, Pope, Bokor, Ruppel & Burns, P.A.

Email: angelinal@jpfirm.com

Attorney for Anchor Holdings, LLC

Sanford P. Rosen, Esq.

Sanford P. Rosen & Associates, P.C.

Email: srosen@rosenpc.com

Attorneys for Judith S. Schustack, David A. Schustack, Robert J. Schustack, Shirley Schustack

Conrad, and Amy Beth Smith

Marsha Torn, Esq.

Calabrese and Torn, Attorneys at Law Email: mcalabrese@earthlink.net
Attorney for Lawrence Torn

Judith L. Spanier, Esq.

Abbey Spanier Rodd & Abrams, LLP

jspanier@abbeyspanier.com

Attorneys for ELEM/Youth in Distress Israel, Inc. ("ELEM")

David J. Molton, Esq.

Martin S. Siegel, Esq.

Brown Rudnick LLP

E-mail: <u>dmolton@brownrudnick.com</u> Email: msiegel@brownrudnick.com

Attorneys for Kenneth M. Krys and Christopher D. Stride as Liquidators of and for Fairfield Sentry

Limited

Karen E. Wagner

Dana M. Seshens

Denis J. McInerney

Jonathan D. Martin

Davis Polk & Wardwell LLP

Email: karen.wagner@davispolk.com

Email: dana.seshens@davispolk.com
Email: denis.mcinerney@davispolk.com
Email: jonathan.martin@davispolk.com

Attorneys for Sterling Equities Associates and Certain Affiliates

David B. Bernfeld Jeffrey L. Bernfeld

Bernfeld, Dematteo & Bernfeld, LLP

Email: <u>davidbernfeld@bernfeld-dematteo.com</u> Email: jeffreybernfeld@bernfeld-dematteo.com

Attorneys for Dr. Michael Schur and Mrs. Edith A. Schur

Joel L. Herz

Law Offices of Joel L. Herz Email: <u>joel@joelherz.com</u> Attorney for Samdia Family, LP

Stephen Fishbein James L. Garrity Jr. Richard F. Schwed

Shearman & Sterling LLP

Email: sfishbein@shearman.com Email: jgarrity@shearman.com; Email: rschwed@shearman.com

Attorneys for Carl J. Shapiro and Associated Entities

Seth C. Farber Kelly A. Librera

Dewey & Leboeuf LLP

E-mail: sfarber@deweyleboeuf.com
Email: klibrera@deweyleboeuf.com

Attorneys for Ellen G. Victor, holder of Bernard L. Madoff Investment Securities LLC Accounts 1ZA128-3 and 1ZA128-40, Diana P. Victor, Ariana Victor, Justin Victor Baadarani, Shoshanna Remark Victor and Leila Victor Baadarani

Daniel M. Glosband

David J. Apfel

Brenda R. Sharton

Larkin M. Morton

Goodwin Procter LLP

Email: dglosband@goodwinprocter.com
Email: dapfel@goodwinprocter.com
Email: bsharton@goodwinprocter.com
Email: lmorton@goodwinprocter.com

Attorneys for Jeffrey A. Berman, Russell deLucia, Ellenjoy Fields, Michael C. Lesser, Norman E. Lesser Rev. 11/97 Rev. Trust, Paula E. Lesser 11/97 Rev. Trust and Jane L. O'Connor as Trustee of the Jane O'Connor Living Trust

Russell M. Yankwitt

Yankwitt & Associates LLC Email: <u>russell@yankwitt.com</u> Attorneys for Carol Rosen

Barton Nachamie, Esq.

Janice B. Grubin, Esq.

Jill L. Makower, Esq.

Todtman, Nachamie, Spizz & Johns, P.C.

E-mail: bnachamie@tnsj-law.com
E-Mail: jgrubin@tnsj-law.com
E-mail: jgrubin@tnsj-law.com
E-mail: jgrubin@tnsj-law.com

Attorneys for ABG Partners d/b/a ABG Investments, Bruce Graybow, as a Partner of ABG

Partners, and Graybow Communications Group, Inc.

Mark W. Smith, Esq.

Timothy A. Valliere, Esq.

Smith Valliere PLLC

Email: msmith@svlaw.com
Email: tvalliere@svlaw.com
Attorneys to Shana D. Madoff

Brett S. Moore

Porzio Bromberg & Newman P.C. Email: bsmoore@pbnlaw.com

Attorneys for Paul Laplume and Alain Rukavina, Court Appointed Liquidators for LuxAlpha Sicav and Luxembourg Investment Fund

Bernard V. Kleinman, Esq.

Alan Berlin, Esq. Aitken Berlin LLP

Email: <u>bvkleinman@aitkenberlin.com</u>

Email: adberlin@aitkenberlin.com

Attorneys for Susan Saltz Charitable Lead Annuity Trust Susan Saltz Descendants Trust

Jeffrey G. Tougas

Fred W. Reinke

Mayer Brown LLP

E-mail: jtougas@mayerbrown.com Email: freinke@mayerbrown.com

Attorneys for Mutua Madrileña Automovilista Ramo de vida, AXA Private Management, and

Fondauto Fondo de Pensiones, SA

Richard A. Cirillo

Arthur J. Steinberg, Esq.

Heath D. Rosenblat, Esq.

King & Spalding LLP

Email: rcirillo@kslaw.com Email: asteinberg@kslaw.com Email: hrosenblat@kslaw.com

Attorney for National Bank of Kuwait, S.A.K. ("NBK"), Lemania SICAV-SIF, and NBK Banque

Privee and counsel for the Pascucci Family

Linda H. Martin, Esq. Joshua A. Levine, Esq.

Simpson Thacher & Bartlett LLP

Email: lmartin@stblaw.com
Email: jlevine@stblaw.com

Attorneys Spring Mountain Capital, LP

Martin L. Seidel

Cadwalader, Wickersham & Taft LLP

Email: martin.seidel@cwt.com

Attorneys for Milton Fine Revocable Trust, Milton Fine 1997 Charitable -2- Remainder Unitrust, US Trust Co UD Peter M. Lehrer, Peter M. Lehrer and Eileen Lehrer, JSBR Associates LP and The Apmont Group Inc. Pension Plan

Ernest Edward Badway, Esq.

Fox Rothschild LLP

Email: ebadway@foxrothschild.com

Attorney to Iris Schaum

Steven R. Schlesinger, Esq.

Hale Yazicioglu, Esq.

Jaspan Schlesinger LLP

Email: sschlesinger@jaspanllp.com
Email: hyazicioglu@jaspanllp.com

Attorneys for Peter Zutty, Janet Jaffin Dispositive Trust and Janet Jaffin and Milton Cooper as Trustees, Amy Luria Partners LLC, Amy Joel, Robert Luria Partners, and Samuels Family LTD Partnership, Patricia Samuels, Andrew Samuels, Estate of Richard A. Luria, David Richman, Jay Rosen Executors

Jeremy A. Mellitz

Withers Bergman, LLP

E-mail: Jeremy.Mellitz@withers.us.com

Attorney for Von Rautenkranz Nachfolger Special Investments LLC

Hunter T. Carter, Esq.

Shawanna L. Johnson, Esq.

Arent Fox LLP

Email: carter.hunter@arentfox.com
Email: johnson.shawanna@arentfox.com

Attorneys for Sanford Guritzky, Brenda Guritzky, Dana Guritzky Mandelbaum, Ronald P. Guritzky, Guritzky Family Partnership LP, and Brenda H. Guritzky as Trustee of Trust B U/W George H. Hurwitz (collectively the "Guritzky Parties")

George Brunelle, Esq.

Anna Hadjikow

Brunelle & Hadjikow, P.C.

Email: gbrunelle@brunellelaw.com
Email: ahadjikow@brunellelaw.com

Attorneys for the James H. Cohen Special Trust, James H. Cohen, Morrie Abramson, Robyn Berniker, BK Interest, LLC, The Marian Cohen 2001 Residence Trust, Alan D. Garfield, Erin M. Hellberg, Barry E. Kaufman and Marion Tallering-Garfield

Chester B. Salomon

Becker, Glynn, Melamed & Muffly LLP Email: csalomon@beckerglynn.com

Attorney for SBM Investments, LLP, Weithorn/Casper Associated for Selected Holdings LLC

Jonathan W. Wolfe Barbara A. Schweiger Skoloff & Wolfe, P.C.

Email: <u>jwolfe@skoloffwolfe.com</u>
Email: <u>bschweiger@skoloffwolfe.com</u>
Attorneys for Albert & Carole Angel

Richard J. McCord, Esq.

Carol A. Glick, Esq.

Certilman Balin Adler & Hyman, LLP Email: rmccord@certilmanbalin.com Email: cglick@certilmanbalin.com

Attorneys to Clayre Hulsh Haft, Morton L. Certilman and Joyce Certilman, Bernard Certilman, Alyssa Beth Certilman,

Demet Basar

Eric B. Levine

Wolf Haldenstein Adler Freeman & Herz LLP

Email: basar@whafh.com
Email: basar@whafh.com

Attorneys to Nephrology Associates P.C. Pension Plan

Imtiaz A. Siddiqui Steven N. Williams

Cotchett, Pitre & McCarthy

Email: <u>isiddiqui@spmlegal.com</u>
Email: swilliams@cpmlegal.com

Attorneys for Jay Wexler, Daniel Ryan, Theresa Ryan, Matthew Greenberg, Walter Greenberg,

Doris Greenberg, The Estate of Leon Greenberg and Donna M. McBride

Bernard J. Garbutt III, Esq.

Menachem O. Zelmanovitz, Esq.

Morgan, Lewis & Bockius LLP

Email: <u>bgarbutt@morganlewis.com</u>

Email: <u>mzelmanovitz@morganlewis.com</u>

Attorneys for the Kostin Company

Stephen Fishbein

James L. Garrity Jr.

Richard F. Schwed

Shearman & Sterling LLP

Email: sfishbein@shearman.com
Email: jgarrity@shearman.com
Email: rschwed@shearman.com

Attorneys for Harold S. Miller Trust Dated 12/4/64 FBO Elaine Miller,

Lilfam LLC, Lilyan Berkowitz Revocable Trust Dated 11/3/95, and Wellesley Capital

Management

Richard C. Yeskoo

Yeskoo Hogan & Tamlyn, LLP Email: yeskoo@yeskoolaw.com

Attorneys for Joan L. Fisher, Carl T. Fisher, and the Trust U/A VIII of the Will of Gladys C. Luria

F/B/O Carl T. Fisher

Carmine D. Boccuzzi Jr., Esq.

David Y. Livshiz, Esq.

Cleary Gottlieb Steen & Hamilton LLP

Email: maofiling@cgsh.com

Attorneys for Citibank, N.A., Citibank North America, Inc., and Citigroup Global Markets

Limited

Casey D. Laffey Reed Smith LLP

Email: claffey@reedsmith.com

Attorneys for Bart M. Schwartz, as Receiver of Gabriel Capital, L.P. and Ariel Fund Limited

Michael S. Pollok

Marvin and Marvin, PLLC

Email: mpollok@marvinandmarvin.com

Attorneys for Alan Hayes and Wendy Wolosoff-Hayes

James H. Hulme Arent Fox LLP

Email: hulme.james@arentfox.com

Attorney for Eleven Eighteen Limited Partnership; Bernard S. Gewirz; Carl S. Gewirz; Edward H. Kaplan; Jerome A. Kaplan; Albert H. Small; 1776 K Street Associates Limited Partnership;

Estate of Robert H. Smith; Robert H. Smith Revocable Trust; Clarice R. Smith; Robert P. Kogod; Marjet LLC; and Irene R. Kaplan

David S. Stone, Esq. Amy Walker Wagner, Esq. Carolyn B. Rendell

Stone & Magnanini LLP

Email: dstone@stonemagnalaw.com
Email: dstonemagnalaw.com
Emailto: dston

Attorneys for Defendants David P. Gerstman and Janet Gerstman

Alan E. Marder, Esq.

Meyer, Suozzi, English & Klein, P.C.

Email: <u>amarder@msek.com</u>

Counsel for Judie B. Lifton and the Judie Lifton 1996

Jeffrey D. Sternklar Wendell M.N. Harp Duane Morris LLP

Email: jdsternklar@duanemorris.com Email: wmharp@duanemorris.com

Attorneys for Magnus A. Unflat, the Eleanore C. Unflat Living Trust, Eleanore C. Unflat, in her capacity as co-trustee of the Eleanore C. Unflat Living Trust, Magnus A. Unflat, in his capacity as co-trustee of the Eleanore C. Unflat Living Trust, and Eleanore C. Unflat

Jeff E. Butler

Alexander M. Feldman Clifford Chance US LLP

Email: Jeff.Butler@CliffordChance.com

Email: Alexander.Feldman@CliffordChance.com

Attorneys for Cardinal Management, Inc. and Dakota Global Investments, Ltd.

Helen Davis Chaitman, Esq.

Peter Smith, Esq.

Becker & Poliakoff LLP

Email: hchaitman@becker-poliakoff.com
Email: psmith@becker-poliakoff.com

Attorneys for Marsha Peshkin

and 802 investors

David B. Bernfeld, Esq. Jeffrey L. Bernfeld, Esq.

Bernfeld, DeMatteo & Bernfeld, LLP

Email: <u>davidbernfeld@bernfeld-dematteo.com</u> Email: <u>jeffreybernfeld@bernfeld-dematteo.com</u>

Attorneys for: Adele Adess Living Trust, Adess Family Trust, Adele Adess, Billie Baren, Nancy Adess, Gorrin Family Trust, Morris Gorrin, Ann Gorrin, Trust Under Deed of Suzanne R. May, Estate of Suzanne R. May, Robert May, Jeffrey May, Richard May, Cheryl Coleman, Suzanne Oshry, Meryl Evens, Ho Marital Trust, Estate of Claire Oshry, Laurie Riemer, Leonard Miller, Estate of Carolyn Miller, Carolyn Rosen Miller Revocable Trust, Stephen Caplan, Doris M. Schlesinger Marital Trust, Jan Capper, Robert Cheren, William Diamond, Pauline Feldman, Richard Feldman, Manfred Franitza, Franitza Family Limited Partnership, Manfred Franitza Revocable Trust, Urte Franitza-Goldstein, Karen Fenner, Nathaniel Gold, Natalie Remsen, Rose Gold, Barbara Gold, Gold Investment Club, Murray Gold Trust f/b/o the Gold Children, Robert D. Redston 1998 Trust, David Iselin, Teresa Cohen, KL Retirement Trust, Steven Schmutter, Lee Snow, Frederic Konigsberg, Susan Konigsberg, Bradermark, Ltd., Lee Rautenberg, Dale Leff, Estate of Norman Leff, John Maccabee, Sherry Morse Maccabee, John Greenberger Maccabee and Sherry Morse Maccabee Living Trust, Edith Schur, Edward Speer, Marion Speer, Ad-In Partners, Ltd, Joel Banker, Lucy Banker, William Spiro, Ruth Spiro, William Sweidel, Gabriele Sweidel, Robert Daniel Vock, Ken-Wen Family Limited Partnership, Kenneth Brown, Wendy Brown, Werner Foundation, Jeffrey R. Werner 11/1/98, Jeffrey Werner, Violet Werner, Harvey L. Werner Revocable Trust, Alan and Janet Winters Family Partnership, Ltd., Winters Management Trust, Alan Winters, Janet Winters, Jack Yankowitz and Cheryl Yankowitz.

Carole Neville, Esq. SNR Denton US LLP

Email: carole.neville@snrdenton.com

Attorneys for 70 Customers

David Parker, Esq.
Matthew J. Gold, Esq.
Kleinberg, Kaplan, Wolf & Cohen, P.C.
Email: dparker@kkwc.com

Email: mgold@kkwc.com

Counsel for Lawrence Elins, Linda Elins, Elins Family Trust, Elins Daughters Trust for the Benefit of Jamie Ann Elins, Elins Daughters Trust for the Benefit of Julie Lynn Elins, Jamie Elins Sabet, Julie Elins Banks, Malibu Trading and Investing, L.P., Keith Vinnecour, Patricia Vinnecour, and Kenneth Hubbard

Richard Levy, Jr., Esq. David C. Rose, Esq. Pryor Cashman LLP

Email: rlevy@pryorcashman.com
Email: drose@pryorcashman.com

Attorneys for: Avram J. Goldberg, Carol R. Goldberg, Carol R. Goldberg (IRA), Avram J. Goldberg and Carol R. Goldberg Special Account, the Goldberg Nominee Partnership, the Sidney R. Rabb Charitable Trust, the Goldberg Family Foundation, the Aaron Foundation, the Sidney Rabb and Esther Rabb Charitable Foundation, the Avram J. Goldberg and Carol R. Goldberg Charitable Remainder Unitrust, the Sidney R. Rabb Trust fbo Carol R. Goldberg, Helene R. Cahners Kaplan, Robert and Loretta Fishbein, Norma Fishbein, Steven and Kara Fishbein Goldman, David S. Wallenstein, Wallenstein NY Partnership, Mark and Matthew Family Partnership, and others